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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

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|  |                      |                        |                                 |
|--|----------------------|------------------------|---------------------------------|
|  | Application Number   | 10/521,802             |                                 |
|  | Filing Date          | January 21, 2005       |                                 |
|  | First Named Inventor | Sergio Magri           |                                 |
|  | Art Unit             | 3742                   |                                 |
|  | Examiner Name        |                        |                                 |
| Total Number of Pages in This Submission | 18                   | Attorney Docket Number | 182683-0003 (formerly C&P-0003) |

### ENCLOSURES

(Check all that apply)

|   |   |  |
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| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                             |
| <input type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences      |
| <input type="checkbox"/> Amendment/Reply                                  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communications to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address                 | <input type="checkbox"/> Other Enclosure(s) (please identify below):                     |
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| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> CD, Number of CD(s) _____                        |  |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application   | <input type="checkbox"/> Landscape Table on CD                            |  |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |
| Remarks   |   |  |

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

|              |                                     |          |        |
|--------------|-------------------------------------|----------|--------|
| Firm Name    | Stradley Ronon Stevens & Young, LLP |          |        |
| Signature    |                                     |          |        |
| Printed name | Kevin R. Casey                      |          |        |
| Date         | September 26, 2005                  | Reg. No. | 32,117 |

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Typed or printed name

Linda M. Keller

Date

09/26/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No: 10/521,802  
Applicant: Sergio Magri  
Filed: January 21, 2005  
Title: IMMERSION HEATER DEVICE FOR AQUARIUMS AND THE LIKE  
T.C./A.U.: 3742  
Examiner:

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the reference listed on the enclosed form 1449A/PTO. A copy of the reference listed on the form is enclosed.

Although the information submitted may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

Reference FR 2 401 585 is not in the English language, but this reference was cited by a foreign patent office in a counterpart foreign application. A copy of the English-language search report, indicating the degree of relevance determined by the foreign patent office, is enclosed. MPEP Section 609A(3), second paragraph.

This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application or before the mailing of the first Official Action. No first Official Action has yet been received, and it is presumed that none has yet been mailed. No fee or statement is required. 37 C.F.R. § 1.97(b).

Respectfully submitted,

  
\_\_\_\_\_  
Kevin R. Casey, Reg. No. 32,117  
Kevin W. Goldstein, Reg. No. 34,608  
Attorneys for Applicant

JT

KRC:Ik

Enclosures: PTO Form 1449;  
One Reference; and  
Copy of International Search Report

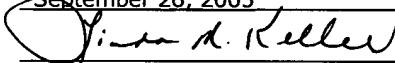
Dated: September 26, 2005

Stradley Ronon Stevens & Young, LLP  
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September 26, 2005



Linda M. Keller



PTO/SB/08a (05-03)

Approved for use through 04/30/2003, OMB 0651-0031

Approved for use through 04/08/2008. GMD 8851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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|--|---|----|---|--------------------------|--------------|
| Substitute for form 1449A/PTO  |   |    |   | <b>Complete if Known</b> |              |
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><i>(Use as many sheets as necessary)</i> |   |    |   | Application Number       | 10/521,802   |
|  |   |    |   | Filing Date              | 01-21-05     |
|  |   |    |   | First Named Inventor     | Sergio Magri |
|  |   |    |   | Art Unit                 | 3742         |
|  |   |    |   | Examiner Name            |              |
| Sheet  | 1 | of | 1 | Attorney Docket Number   | 182683-0003  |

## **U.S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

|                       |  |                    |
|-----------------------|--|--------------------|
| Examiner<br>Signature |  | Date<br>Considered |
|-----------------------|--|--------------------|

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not Considered. Include of this form with next communication to applicant.

1. Applicant's unique citation designation number (optional) 2. See Kinds codes of USPTO patent Document MPEP 901.04. 3. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3.) 4. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6. Applicant is to place a check mark here if English language Translation is attached.

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